

AMENDED PERMIT**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JUN 14 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 07 2005

The applicant **LYON COUNTY, c/o Lyon County Utilities** hereby make(s) application for permission to change the **Point of diversion Place of use Manner of use of a portion** of water heretofore appropriated under **Permit 27922, Certificate 9206**

1. The source of water is **Underground**
2. The amount of water to be changed **0.0059 cfs 1.12 AFA**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T. 16 N., R. 21 E., M.D.B.& M., or at a point from which the center $\frac{1}{4}$ corner of said Section 24 bears N. 87° 42' W., a distance of 1988.0 feet.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 17 N., R. 22 E., M.D.B.& M., or at a point from which the NW corner of said Section 33 bears N. 17° 02' 33" W., a distance of 1498.9 feet.**
7. Proposed place of use **PLEASE REFER TO EXHIBIT "A"**
8. Existing place of use **Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, T. 17 N., R. 22 E., M.D.B.& M. – Being 9.5 Acres. Note: 0.28 Acres to be stripped from the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 17 N., R. 22 E.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **existing drilled and cased 16-inch well, pump, motor and distribution system.**
12. Estimated cost of works **\$550,000.00**
13. Estimated time required to construct works **existing drilled and cased 16-inch well to a depth of 510 feet. Completed under Permit 62077.**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**

15. Remarks: For Existing Point of Diversion and Place of Use, please refer to map filed in support of Application 27922. For Proposed Point of Diversion and Place of Use, please refer to map filed in support of Application 62077. This water will be used to serve a proposed service station to be constructed on APN 16-194-08.

By CHUCK ZIMMERMAN
s/ Chuck Zimmerman
3264 Goni Road, Suite 153
Carson City, Nevada 89706

Compared mt/ gkl lt

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 27922, Certificate 9206, is issued subject to the terms and conditions imposed in said Permit 27922, Certificate 9206, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64782, 64783, 64784, 64785, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491 and 73992 shall not exceed 7,744.01 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

(CONTINUED ON PAGE 3)

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0059 cubic feet per second, **but not to exceed 1.12 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

November 7, 2009

Proof of the application of water to beneficial use shall be filed on or before:

December 7, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of September A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed August 31, 2000 under 62077

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

Question #7 - Proposed Place of Use:

NE $\frac{1}{4}$, S $\frac{1}{2}$ Section 24; NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Portions of the S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36 lying within Lyon County all within T. 16 N., R. 20 E., M.D.B. & M.; Section 19; SW $\frac{1}{4}$ Section 20; W $\frac{1}{2}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29; Section 30; N $\frac{1}{2}$; Portions of the S $\frac{1}{2}$ Section 31 lying within Lyon County; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32 all within T. 16 N., R. 21 E., M.D.B. & M.

RECEIVED BY OFFICE

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12